

# UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

**67638/04-034**

## TO THE COMMISSIONER FOR PATENTS :

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, DAVID HOWARD, entitled INFRARED ELEMENT AND OVEN, for a(n):

(X) Original Patent Application.

( ) Continuing Application (prior application not abandoned):

( ) Continuation ( ) Continuation-in-part (CIP)

( ) Divisional ( ) Request for Continuing Examination (RCE)

of prior Application No. \_\_\_\_\_, filed on \_\_\_\_\_.

( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

(X) Specification; 24 Total Pages. (X) Drawing(s); 5 Total Sheets.

(X) Declaration:

(X) A Newly Executed Declaration

(X) Signed.

( ) Unsigned.

( ) Partially Signed.

( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

(X) Power of Attorney.

(X) Return Receipt Postcard.

( ) Associate Power of Attorney.

( ) A Check in the amount of \$\_\_\_\_\_ for the Filing Fee.

( ) Preliminary Amendment.

( ) Information Disclosure Statement and Form PTO-1449.

( ) A Certified Copy of Priority Documents (if foreign priority is claimed).

(X) Applicant claims small entity status.

(X) Other: Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)

### CLAIMS AS FILED

FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	33	13	\$ 9.00	\$117.00
Independent Claims	3	0	\$ .00	\$0.00
Multiple Dependent Claim Fee (if applicable)				\$0.00
Assignment Recording Fee (if applicable)				\$0.00
Basic Filing Fee				\$385.00
Total Filing Fee				\$502.00

Please charge \$ 502.00 to Deposit Account No. 06-0540 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, the Commissioner is hereby authorized to charge any fees required under 37 CFR 1.16 or 1.17 or refund any overpayment to this Deposit Account. A duplicate copy of this sheet is enclosed for fee processing against this Deposit Account.

Respectfully submitted,

By:

Dennis D. Brown  
Dennis D. Brown, Attorney of Record, Reg. No. 33559

Date: January 23, 2004

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I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
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Date of Deposit: January 23, 2004

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<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>		First Named Inventor	HOWARD
		Title	INFRARED ELEMENT AND OVEN
		Attorney Docket Number	67638/04-034

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

1/23/04  
Date

Dennis Brown  
Signature

918/599-0621  
Telephone number

Dennis D. Brown  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and selection option 2.